



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,236	08/13/2001	Stephen F. Gass	SDT 307	8813
27630	7590	05/02/2008		
SD3, LLC 9564 S.W. Tualatin Road Tualatin, OR 97062			EXAMINER ALIE, GHASSEM	
			ART UNIT 3724	PAPER NUMBER
			MAIL DATE 05/02/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/929,236	Applicant(s) GASS ET AL.	
	Examiner GHASSEM ALIE	Art Unit 3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02/08/08.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,6,7,10,11 and 20-32 is/are pending in the application.
- 4a) Of the above claim(s) 6-7, 10-11, 20-23, 27, and 32 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 24-26 and 28-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>02/04/04-06/28/07</u> . | 6) <input type="checkbox"/> Other: _____ |

Election/Restrictions

1. Applicant's election of Group VI (claims 24-26) and Species I (claim 31) in the reply filed on 02/08/08 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
2. Claims 6-7, 10-11, 20-23, 27 and 32 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to nonelected invention and Species.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 1, 24-26 and 28-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lokey (3,785,203) or Yoneda (4,117,751) in view of Baur (3,695,116) and Beilinski (5,606,889). Regarding claim 1, Lokey and Yoneda discloses the invention substantially as claimed, including a support frame having a work surface for supporting workpieces; a cutting tool supported by the frame and movable relative to the work surface; and a safety system configured to detect a dangerous condition between a person and the cutting tool and to perform a predetermined action upon detection of the dangerous condition to mitigate the dangerous condition. Lokey and Yoneda also teaches that the safety system also include a cartridge removably coupled to the support frame. It should be noted that the brake pawl 25

and solenoid 126 in Lokey are considered to be a cartridge. Yoneda also teaches a brake pawl 20 and its actuator means that are considered to a cartridge which is removable. See Figs. 1-4 in Yoneda. Lokey or Yoneda does not explicitly teach that the cartridge is adapted to be replaced after performs the predetermined action a single time. However, if it is desired the cartridge in Lokey and Yoneda could be replaced after a single use. Lokey or Yoneda does not explicitly teach that cartridge has one or more single-use components to be expended when the cartridge performs the predetermined action. Baur teaches that it is old and well known in the art to replace solenoids/electromagnetics with spring loaded actuators that are electrically responsive by tensioned wires for the purpose of providing fast acting, less expensive, and smaller devices that providing large mechanical forces. Bielinski discloses that it is old and well known in the art to use spring loaded actuators that use fusible members are contained in replaceable/removable cartridges for the purpose of facilitating efficiency of the operation of the device thereby allowing the user to quickly and easily replace used cartridges with new ones. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to use one or more single use components comprising fusible members that enable actuation of a braking mechanism by a spring actuator for the electromagnetic/solenoid of Lokey and Yoneda in order to provide a fast acting, less expensive, smaller actuator that facilitates efficiency of the operation as taught by Baur and Bielinski.

Regarding claims 24-26, Lokey and Yoneda, as modified above, teaches that the cartridge includes a brake pawl and a housing defining internal components having an opening, and further wherein the cartridge includes a biasing mechanism within the

compartment and adapted to urge the brake pawl in a direction generally away from the opening. It should be noted that the spring loaded actuator includes actuator 50 and springs 58, an opening, and a housing 55. See Figs. 7-8 in Buar. Lokey and Yoneda, as modified above, also teaches a biasing mechanism is a spring positioned to extend at least partially through the opening when urging the brake pawl in a direction generally away from the opening. Lokey and Yoneda, as modified above, teaches everything noted above including that the brake pawl is adapted to move relative to the cartridge upon detection of the dangerous condition and urging of the brake pawl in the direction generally away from the one opening.

Regarding claim 28, Lokey and Yoneda discloses the invention substantially as claimed, including a support frame having a work surface for supporting workpieces; a cutting tool supported by the frame and movable relative to the work surface; and a safety brake means configured to detect a dangerous condition between a person and the cutting tool and to stop the movement of the cutting tool upon detection of the dangerous condition. Lokey and Yoneda also teaches that the safety brake also include a cartridge removably coupled to the support frame. It should be noted that the brake mechanism 125-126 which is removable is considered to be a cartridge. See Fig. 8 in Lokey. Yoneda also teaches a brake mechanism that is defined by the brake 20 and its moving mechanism that moves the brake into engagement with the cutting tool. The brake mechanism in Yoneda is considered to be a cartridge which is inherently removable. See Figs. 1-4 in Yoneda. Lokey or Yoneda does not teach that the cartridge has one or more single-use components associated with the cartridge and adapted to be used upon detection of the dangerous condition. However, Baur teaches

that it is old and well known in the art to replace solenoids/electromagnetics with spring loaded actuators that are electrically responsive by tensioned wires for the purpose of providing fast acting, less expensive, and smaller devices that providing large mechanical forces. Bielinski discloses that it is old and well known in the art to use spring loaded actuators that use fusible members are contained in replaceable/removable cartridges for the purpose of facilitating efficiency of the operation of the device thereby allowing the user to quickly and easily replace used cartridges with new ones. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to use one or more single use components comprising fusible members that enable actuation of a braking mechanism by a spring actuator for the electromagnetic/solenoid of Lokey and Yoneda in order to provide a fast acting, less expensive, smaller actuator that facilitates efficiency of the operation as taught by Baur and Bielinski.

Regarding claims 29-31, Lokey or Yoneda teaches that the predetermined action is moving a brake into contact with the cutting tool; and the predetermined action is stopping the cutting too. Yoneda also teaches that the dangerous condition is contact between a person and the cutting tool.

Response to Amendment

5. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection. It should be noted that applicant argument is not based on the claim 1 as amended and submitted on 06/28/07.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (571) 272-4501. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on (571) 272-4502. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information

Art Unit: 3724

about the PAIR system, SEE <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GA/ga

April 17, 2008

/Ghassem Alic/

Primary Examiner, Art Unit 3724